

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

Case No. _____

**STANDING ORDER REGARDING
CASE MANAGEMENT IN CIVIL CASES**

This order sets forth requirements for initial case management in all civil matters assigned to District Judges James Ware, Ronald M. Whyte and Jeremy Fogel, and Magistrate Judges Patricia V. Trumbull, Richard Seeborg, and Howard R. Lloyd. All papers filed must include the case number of the action followed by the initials of the assigned district judge or magistrate judge and, if applicable, the initials of the magistrate judge to whom the action is referred for discovery or other pretrial activity.

Plaintiff shall serve a copy of this Standing Order on all parties to this action and on all parties subsequently joined, in accordance with Fed.R.Civ.P. 4 and 5. Following service, plaintiff shall file a certificate of service in accordance with Civil L.R. 5-6(a).

All disclosure or discovery disputes in cases assigned to district judges are referred to the assigned magistrate judge for determination pursuant to Fed.R.Civ.P. 72(a). Magistrate judges themselves handle disclosure and discovery disputes in the cases assigned to them.

Before selecting a hearing date for a motion before any of the judges of the San Jose Division, counsel must confer with opposing counsel to determine that the proposed hearing date will not cause undue prejudice.

Civil motions under Civil L.R. 7-2 in cases assigned to Judge Ware may be noticed for hearing on any Monday at 9:00 a.m.

Civil motions under Civil L.R. 7-2 in cases assigned to Judge Whyte may be noticed for hearing on any Friday at 9:00 a.m.

1 Civil motions under Civil L.R. 7-2 in cases assigned to Judge Fogel may be noticed for
2 hearing only after contacting Judge Fogel's administrative law clerk at 408-535-5426 and obtaining
3 an available date.

4 Civil motions under Civil L.R. 7-2 in cases assigned to Magistrate Judge Trumbull may be
5 noticed for hearing on any Tuesday at 10:00 a.m.

6 Civil motions under Civil L.R. 7-2 in cases assigned to Magistrate Judge Seeborg may be
7 noticed for hearing on any Wednesday at 9:30 a.m.

8 Civil motions under Civil L.R. 7-2 in cases assigned to Magistrate Judge Lloyd may be
9 noticed for hearing on any Tuesday at 10:00 a.m.

10 Pursuant to Fed.R.Civ.P. 16 and 26 and Civil L.R. 16-10(a), a Case Management Conference
11 will be held on _____ at _____, at the United States
12 Courthouse, 280 South First Street, San Jose, California. This conference may be continued only by
13 court order pursuant to Civil L.R. 16-2(e). Parties may not stipulate to continue a Case Management
14 Conference without court approval.

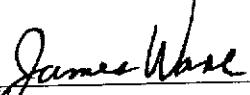
15 Pursuant to Civil L.R. 16-3, in advance of the Case Management Conference, counsel shall
16 confer with their respective clients and opposing counsel for the purposes specified in Fed.R.Civ.P.
17 26(f), Civil L.R. 16-8 and 16-9, and in patent cases, Patent L.R. 3.1 through 3.6. A meaningful meet
18 and confer process prior to the Case Management Conference and good faith compliance with the
19 requirements of this Order are essential elements of effective case management. Failure to meet and
20 confer, to be prepared for the Case Management Conference or to file a Joint Case Management
21 Conference Statement may result in sanctions. Parties may, but are not required, to attend the Case
22 Management Conference.

23 In all "E-filing" cases when filing papers in connection with any motion for determination by
24 a judge, the parties shall, in addition to filing papers electronically, lodge with chambers a printed
25 copy of the papers by the close of the next court day following the day the papers are filed
26 electronically. These printed copies shall be marked "Chambers Copy" and shall be submitted to the
27 Clerk's Office, in an envelope clearly marked with the judge's name, case number and "E-filing
28 Chambers Copy." Parties shall not file a paper copy of any document with the Clerk's Office that

1 has already been filed electronically.

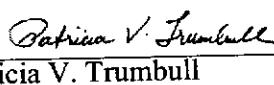
2 IT IS SO ORDERED.

3 Dated: May 15, 2009

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7 James Ware
United States District Judge

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10 Ronald M. Whyte
United States District Judge

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13 Jeremy Fogel
United States District Judge

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17 Patricia V. Trumbull
United States Magistrate Judge

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19 
20 Richard Seeborg
United States Magistrate Judge

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23 Howard R. Lloyd
United States Magistrate Judge